

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JAMES STEPHENS,	:	
Plaintiff,	:	
vs.	:	Case No. 3:10cv00295
CAROLYN W. COLVIN,	:	District Judge Walter Herbert Rice
Acting Commissioner of the Social	:	Chief Magistrate Judge Sharon L. Ovington
Security Administration,	:	
Defendant.	:	

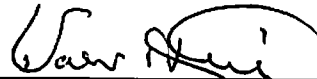
DECISION AND ENTRY

This case is before the Court upon the Motion For Allowance Of Attorney Fees filed by Plaintiff's attorney. (Doc. #19). The Acting Commissioner has neither responded to nor opposed the Motion, and the time for filing a Memorandum in Opposition has expired. *See* S.D. Ohio Civ. R. 7.2(a)(2).

The Motion seeks an award of attorney fees under 42 U.S.C. §406(b)(1) in the total amount of \$5,898.98. (Doc. #19, PageID at 137-39). In the absence of a response or opposition by the Acting Commissioner, the Motion, Memorandum, and supporting Exhibits establish that an award of attorney fees is warranted under 42 U.S.C. §406(b)(1) in the amount the Motion seeks.

Accordingly, the Court hereby **ORDERS** that:

1. The Motion For Allowance Of Attorney Fees (Doc. #19) is GRANTED;
2. The Acting Commissioner shall pay Plaintiff's attorney fees pursuant to 42 U.S.C. §406(b)(1) in the amount of \$5,898.98; and
3. The case remains terminated on the docket of this Court.

A handwritten signature in black ink, appearing to read "Walter Rice", is written over a horizontal line.

Walter Herbert Rice
United States District Judge